

herein prohibited, but no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony.

**SEC. 4. Penalty.** Any common carrier, its officer, agent or representative, violating any of the provisions of this act shall be fined in a sum not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000) for each offense, or in the discretion of the court shall be imprisoned in the county jail for not less than thirty (30) and not more than ninety (90) days; and any person other than the persons excepted in the second section of this act, who accepts or uses any free ticket, free pass or free transportation for carriage or passage within this state shall be subject to a like penalty.

**SEC. 5. Names of free pass beneficiaries reported.** Every common carrier of passengers within the provisions of this act, shall on or before the first day of February of each year, file with the executive council of the state of Iowa, a sworn statement showing the names of all persons within this state to whom, during the preceding calendar year, it issued, furnished or gave a free ticket, free pass, free transportation or a discriminating reduced rate, except wage earners of common carriers in their ordinary employment and families of such wage earners, and disclosing such further information as will enable the council to determine whether the person to whom it was issued, was within the exception of this act.

**SEC. 6. Repealed.** When this act takes effect, it shall repeal chapter ninety (90), laws of the thirty-first general assembly, and all acts and parts of acts inconsistent with this act.

Approved April 10, A. D. 1907.

## CHAPTER 113.

### WEIGHING OF COAL TRANSPORTED IN CAR LOAD LOTS.

S. F. 237.

AN ACT providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers and providing penalties for the violation of this act, in addition to chapter seven (7), title ten (X) of the code.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Amended.** That chapter seven, title ten, of the code, be, and the same is hereby amended by adding thereto the following:

**"SEC. 2. Track scales—where located—weight certificates.** That every person, firm or corporation engaged in operating any railroad within the state of Iowa shall equip the line of its track and thereafter maintain thereon in good order, track scales of sufficient capacity to weigh all carloads of coal that may be transported over the said railroad, and shall weigh the same at the request of any owner, consignor or consignee of such commodities, and furnish written certificates of such weights to such owner, consignor or consignee as hereinafter provided. Such track scales shall be so installed and maintained at all division stations along the line of such railroads within the state of Iowa, and at such other stations as the board of railroad commissioners shall from time to time direct.

**"SEC. 3. Weighing of coal at point where shipment originates.** That every person, firm or corporation engaged in operating any railroad within the state of Iowa, over which coal, in carload lots shall be transported for hire, shall weigh such coal at point where such shipment originates unless covered

by weight agreement between consignor and railway company, provided such point is equipped with track scales. If not so equipped, it shall be weighed at first practicable point en route where track scales are provided. Said person, firm or corporation shall furnish to said shipper a bill of lading showing date and place weighed, also the gross, tare and net weight for each carload of coal so weighed. The tare weight shall be determined by using actual weight of empty car at loading station, provided track scales are maintained at such point.

"SEC. 4. **Weighed at destination upon request—fee.** Such coal shall be weighed at destination upon request of consignee when there are track scales at such point. If not equipped with track scales at such point, then at nearest practicable point en route where such scales are maintained and certificate of weight showing actual gross, tare and net weights, shall be furnished to consignee and settlement of freight charges based on these weights. A reasonable charge of not more than \$1.00 per car, may be made for such weighing on request.

"SEC. 5. **How weighed.** Cars when weighed on track scales shall be uncoupled, clear and unhampered at both ends, carefully weighed by competent weighmen and certificates issued upon request of consignees, showing gross, tare and net weights.

"SEC. 6. **Prima facie evidence.** Certificates mentioned in this act shall be *prima facie* evidence of the facts therein recited in any action arising between consignors and consignees and common carriers.

"SEC. 7. **Penalty.** Any common carrier operating in this state violating any of the provisions of this act by neglecting or refusing to weigh cars or to furnish certificates of weights as herein provided shall be guilty of a misdemeanor and shall be, upon conviction thereof, fined in the sum of not more than one hundred and twenty-five dollars (\$125.00) for each and every violation."

Approved April 6, A. D. 1907.

## CHAPTER 114.

### RECONSIGNMENT TO A NEW DESTINATION OF PROPERTY FORWARDED BY COMMON CARRIERS.

S. F. 234.

AN ACT to authorize the reconsignment without charge to a new destination of property forwarded by a common carrier and to provide for the treatment of the same as an original shipment. [Additional to chapter seven (7) of title ten (X) of the code.]

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Reconsignment without charge.** Upon request of the consignee it shall be the duty of any common carrier of freight to re-consign, re-bill and re-ship from any place of destination within the state to any other place within the state any property in car load lots, whether accompanied by any person or not, brought to said place of destination over its own or other line and treat the same in all respects as an original shipment between such places, provided the charges to first place of destination are paid or secured to the satisfaction of such company.

Approved April 2, A. D. 1907.